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WEMMH/\$B/21 (4/03)

TRANSMITTAL	Application Number 10/602.905				
IRANSIVIIIIAL	Filing Date	June 24, 2003			
FORM	First Named Inventor	James A. HOFF			
	Group Art Unit	3727			
(to be used for all correspondence after initial filling)	Examiner Name	James N. Smalley			
Total Number of Pages in this Submission 5	Attomey Docket Number	1104-964/RKE-075-Appeal			
ENCL	OSURES (check all that a	pply)			
Fee Transmittal Form	Assignment Papers	After Allowance Communication to Group			
Fee Attached see PTO-2038 form	Drawing(s)	Appeal Communication to Board of Appeals and Interferences			
Amendment Response	Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Final	To Convert a Provisional Ap	pplication Proprietary Information			
Affidavits/declaration(s)	Power of Attorney, Revocate Change of Correspondence	tion, a.Address Status Letter			
Extension of Time Request	Terminal Disclaimer	Additional Enclosure (please identify below)			
Express Abandonment Request	Small Entity Statement	Return Receipt Postcard			
Information Disclosure Statement	Request for Refund	·			
Certified Copy of Priority Documents					
Response to Missing Parts/ Incomplete Application					
Response to Missing Parts under 37 CRF 1.52 or 1.53					
SIGNATURE C	OF APPLICANT, ATTORNE	EY, OR AGENT			
Firm James M. Durlacher or Individual Name Woodard, Emhardt, Moriarty, McNett & Henry LLP					
Signeture James M. Durlacher					
Date January 25, 2006					
Certificate of Mailing					
I hereby certify that this correspondence is being telefaxed to the United States Patent and Trademark Office, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 via Telefax No. 571-273-8300 on this date: January 25, 2006					
Typed or printed James M. Durlacher, Reg. No. 28,840					
Signature James m. Durlocher Date January 25, 2008					
1104-964:JMD/#382703					

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P. 003

WEMMH/5B/17 (12/04)
OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to resp e collection of information unless it displays a valid OMB control number. Complete if Known FEE TRANSMITTAL Application Number 10/602,905 FOR FY 2005 Filing Date June 24, 2003 First Named Inventor James A. HOFF Effective 12/08/2004. Group Art Unit 3727 Fees pursuant to the Consolidated Appropriations Act (H.R. 4818). Applicant claims small entity status. See 37 CFR 1.27 Examiner Name James N. Smalley (\$) 500.00 Attorney Docket Number 1104-964/RKE-075-Appeal **Total Amount of Payment** METHOD OF PAYMENT (check all that apply) Check Credit card Money Other None Other (please identify): Order Deposit Account: Deposit Account Number Deposit Account Name 23-3030 Woodard, Emhardt, Moriarty, McNett & Henry LLP See PTO 2038 Form The Director is authorized to: (check all that apply) Charge fee(s) Indicated below 🗵 Credit any overpayments 🗵 Charge any additional fee(s) during the pendency of this application, excluding the payment of issue ☐ Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account. **FEE CALCULATION:** 1. BASIC FILING, SEARCH AND EXAMINATION FEES **FILING FEES** SEARCH FEES **EXAMINATION FEES Application Type** <u>Fee (\$)</u> **Small Entity** Fee (\$) Small Entity **Small Entity** Fees Paid (\$) Fee (\$) <u>Fee (\$)</u> Fee (\$) Fee (\$) 0 300 150 100 Utifity 500 250 200 100 50 65 Design 200 100 130 100 150 160 80 Plant 200 300 250 300 Reissue 150 500 600 300 100 a Ò n 0 Provisional 200 2. EXCESS CLAIM FEES Fee (\$) Small Entity Fee (\$) Fee Description Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 200 100 Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent Multiple dependent claims 360 180 Extra Claims Multiple Dependent Claims Total Claims Fee (\$) Fee Paid (\$) 50 Û - 20 ar HP = (\$) Fee Paid (\$) Fee (HP = highest number of total claims paid for, if greater than 20) Indep. Claims Fee Paid (\$) Extra Claims Fep (\$) 360 200 <u>(\$)</u> (HP = highest number of independent claims paid for, if greater than 3) APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Patd (\$) -100 = (round up to a whole number) x 4. OTHER FEE(S) Fee Pald (\$) Non-English Specification. 0 Other: Fee to file Notice of Appeal \$500.00 SUBMITTED BY: Registration No.: James M. Durlacher 28,840 (317) 634-3456 Telephone: Name (Print/Type): (Attorney/Agent) Signature: ames M. January 25, 2006 CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office, on January 25, 2005 Sandra L. Stliz Name (Print/Type) January 25, 2008 andra

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re patent application of: James A. HOFF)) Before the Examiner)) James N. Smalley	I hereby certify that this correspondence is being telefaxed to the United States Patent and Trademark Office via Fax No. (571)-273-8300 OR Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (37 CFR 1.8(a)) on January 25, 2006
Serial No. 10/602,905)) Group Art Unit 3727	Date of deposit James M. Durlacher
Filed June 24, 2003)) January 25, 2006	Name of Registered Representative James M. Durlacher
CLOSURE ASSEMBLY Atty Docket No. 1104-964))	Signature January 25, 2006 Date of Signature

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is \$500.00. Payment is being made by credit card authorization. Form PTO 2038 is attached.

The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 23-3030. I have enclosed a duplicate copy of this letter.

I confirm that I am the attorney of record for this patent application.

Respectfully submitted,

James M. Durlacher, Reg. No. 28,840

Woodard, Emhardt, Moriarty, McNett & Henry LLP

111 Monument Circle, Suite 3700 Indianapolis, Indiana 46204-5137

(317) 634-3456

Notice of Appeal Serial No. 10/602,905 Group Art Unit 3727 Atty, Docket No. 1104-750/RKE-075 Page 1 of 1

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Notice of Appeal Serial No. 10/602,905 Group Art Unit 3727 Atty. Docket No. 1104-750/RKE-075 Page 1 of 1 1104-964:JMD::#382696

